

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

Roanoke Division

BRUCE A. ESTES,

Plaintiff,

v.

CIVIL ACTION NO. 7:15-cv-00154

HAROLD CLARKE, et al.,

Defendants.

AFFIDAVIT

State of Virginia, County of Grayson, to-wit:

BENJAMIN A. WRIGHT, first being duly sworn, states as follows:

1. I am the Warden at River North Correctional Center (RNCC).
2. The information in this affidavit is based on personal knowledge and records maintained in the regular and ordinary course of business.
3. I have been informed of this lawsuit filed by Offender Bruce Estes (#1185224) and his allegation that the Common Fare (CF) menu offered at RNCC is not Kosher. Estes complains that he is being forced to eat non-Kosher foods thereby hindering his ability to practice his faith.

4. The CF diet is intended to meet the religious dietary needs of offenders who require a Kosher, Halal or non-pork diet. The CF menu is offered at selected facilities designated by the Virginia Department of Corrections (VDOC) Chief of Corrections Operations. RNCC offers the CF diet in accordance with guidelines set forth in the VDOC Food Service Manual.

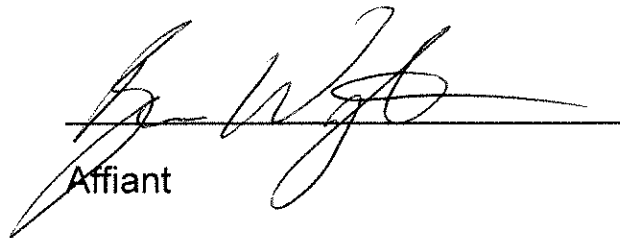
5. Offenders who wish to receive a CF diet are reviewed to determine whether or not they hold a sincere religious belief that requires a CF diet rather than food served on the master menu. Offenders sign a participation agreement prior to beginning the CF diet, agreeing to the rules of participation. A review of our records indicates that offender Estes is currently receiving CF.

6. Offender Estes may also purchase and consume any food items from the commissary that are not clearly marked as containing pork or pork derivatives or containing a combination of meat and dairy ingredients. Kosher food items are marked as such. Attached as Enclosure A is a list of items offered for sale in the institution's commissary.

7. An offender's decision to not participate in CF does not preclude his participation in weekly religious services and access to religious materials and property. They are allowed to participate in

Passover and the Seder service. Appropriate food substitutions are made to both the CF and Master menus during Passover.

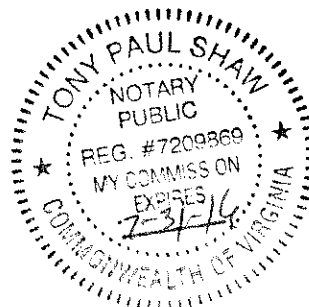
BENJAMIN A. WRIGHT


Affiant

Sworn and subscribed to before me, a Notary Public, in and for the State of Virginia, County of Grayson, this 25th day of June 2015.


Notary Public

My commission expires: 7-31-16



Page 1

ONCE A RECEIPT IS SIGNED, YOU ARE VERIFYING YOUR ORDER WAS CORRECT.

DESCRIPTION	ITEM#	PRICE	LIMIT	DESCRIPTION	ITEM #	PRICE	LIMIT
ACETAMINOPHEN-325MG	0614	\$0.30	12	POSTAGE	STAMPS BOOK OF TEN .49	1050	\$4.90 5
ASPIRIN 325MG	0611	\$0.30	12		.49 EACH STAMP	1049	\$0.49 50
IBUPROFEN 200 MG	0583	\$0.30	12		.03 STAMP SINGLE	1051	\$0.03 20
TUMS-3ROLL	0640	\$3.06	2		.02 STAMP SINGLE	4569	\$0.02 20
GENERIC CLARITIN 10PK	3674	\$2.73	1		.01 STAMP SINGLE	1004	\$0.01 20
GENERIC ZANTEC 30CT	0673	\$5.06	1		PRE-STAMPED POSTCARD	1048	\$0.39 5
BEANO GAS RELIEF 30CT	0617	\$6.94	1				
KONSYL-D FIBER	0656	\$5.14	1		3 RING BINDER	4887	\$3.37 2
ANTACID CALCIUM TABLETS 150CT	0618	\$4.20	1		RULED NOTEBOOK PAPER	1063	\$1.94 1
FISH OIL TABLETS 100CT	3695	\$10.41	1		WIRELESS NOTEBOOK	1046	\$1.37 2
MULTIVITAMIN W/O IRON 90CT	0680	\$3.37	1		WHITE RULED PAPER 50CT	1060	\$0.83 1
ULTRIX VITAMIN (NO PORK) 100ct	0737	\$6.07	1		BLANK WRITING/DRAWING PAD	1070	\$0.67 1
					SKETCH TABLET	0867	\$8.13 1
SF COUGH DROPS 25CT	3679	\$2.09	3		TYPING PAPER 200CT	1065	\$3.38 2
NON ALCOHOLIC COUGH SYRUP	0606	\$2.20	1		ENVELOPES 50CT	1013	\$1.23 2
NASAL SPRAY	0669	\$2.16	1		MANILLA ENVELOPE	1015	\$0.15
					MANILLA FILE FOLDER	1073	\$0.16
CHAP-ET LIP BALM	0273	\$1.21	1		CARBON PAPER	1066	\$1.15 2
					#2 PENCIL	1077	\$0.09 3
HYDROCORTISONE CREAM	0250	\$1.49	1		COLOR PENCIL	1080	\$2.19 3
ANTIFUNGAL CREAM	0251	\$1.62	1		BEVELED PINK ERASER	1085	\$0.55 6
ACNE TREATMENT CREAM	0242	\$2.15	1		FLEXIBLE RULER	0971	\$1.62 1
A&D OINTMENT	0245	\$5.16	1	TOTAL 4 PENS	BIC BLACK PEN	1089	\$0.31 4
GENERIC ORAL GEL	0598	\$1.74	1		BIC BLUE PEN	1090	\$0.31 4
SPF30 SUNBLOCK	0280	\$3.53	1				
MULTIPURPOSE SOLUTION	0742	\$6.71	1		CHILD BIRTHDAY CARD	1101	\$0.73
BAND-AID (10 COUNT)	0602	\$0.86	1		ADULT BIRTHDAY CARD	1103	\$0.73
					FRIENDSHIP CARD	1109	\$0.73
BATH POWDER	0202	\$1.91	1		THANK YOU CARD	1120	\$0.73
GOLD BOND POWDER	0269	\$8.20	1		LOVE CARD	0966	\$0.73
ANTIFUNGAL POWDER	0720	\$2.17	1		SYMPATHY CARD	1102	\$0.73
COTTON SWABS	0772	\$2.19	1		GET WELL CARD	1105	\$0.73
BIC TWIN BLADE RAZOR	0313	\$0.31	5		VALENTINES CARD	1129	\$0.73
PROTECTION SHAVE CREAM	0331	\$2.00	1		EASTER CARD	0984	\$0.73
PROTECTION AFTER SHAVE	0350	\$2.00	1		MOTHERS DAY CARD	1140	\$0.73
MAGIC SHAVE CREAM	0320	\$4.33	1		FATHERS DAY CARD	1139	\$0.73
					HALLOWEEN CARD	0987	\$0.73
COCONUT LIME LOTION W/ ALOE	0212	\$2.25	1		THANKSGIVING CARD	0986	\$0.73
COCOA AND SHEA LOTION	0214	\$2.25	1		CHRISTMAS CARD	3886	\$0.73
COCOA BUTTER STICK	0216	\$1.28	1				
SUAVE X-RELIEF LOTION	0235	\$4.29	1		ADDRESS BOOK	1056	\$0.67 1
HERITAGE LIKE LUBRIDERM 8OZ	0236	\$2.18	1		POCKET DICTIONARY	1086	\$2.84 1
					PHOTO ALBUM	1125	\$2.21 1
SOFTIE AFRICAN CROWN	0045	\$1.69	1		PLASTIC BOWL W/LID	1400	\$0.85 1
V05 SHAMPOO	0010	\$1.81	1		MICROWAVEABLE BOWL 2.5 CUP	4249	\$1.41 1
3N1 SHAMPOO	0361	\$2.88	1		LARGER MICROWAVEABLE BOWL 6.4 CUP	1401	\$2.73 1
DANDRUFF SHAMPOO	0362	\$3.37	1		COFFEE CUP	1411	\$0.75 1
HAIR STYLING GEL	0363	\$3.02	1		TUMBLER	1413	\$0.50 1
					SPORK	1423	\$0.27 1
COLGATE CLEAR GEL TOOTHPASTE	0445	\$2.88	TOTAL				
COOLWAVE CLEAR TOOTHPASTE	0530	\$2.02	1		WHITE SHOE LACES	1709	\$1.08 1
SENSODYNE TOOTHPASTE	0535	\$5.67			KIWI BROWN SHOE POLISH	8153	\$2.35 1
					SHOE INSOLES	1706	\$2.19 1
DENTAL FLOSSERS	0542	\$1.38	1		HANDKERCHIEF	0755	\$0.58 5
PERCARA MOUTHWASH	0500	\$2.40	1		WAVE CAP	0837	\$3.35 1
FRESH N BRITE DENTURE TOOTHPASTE	0528	\$3.75	1		FOAM EARPLUGS	1256	\$0.55 1
EFFERGRIP DENTURE ADHESIVE	0595	\$3.61	1		SCOTT TOILET TISSUE	0771	\$1.19 2
DENTURE TABLETS	0590	\$3.21	1				
DENTURE CUP	0596	\$1.75	1		COMMISSARY BAG	1468	\$4.41 1
					HERITAGE LAUNDRY DETERGENT	1999	\$2.04 1
FRESHSCENT ROLL ON	0121	\$1.09	TOTAL		PLASTIC HOOKS (4 PACK)	1632	\$5.43 1
PW UP ROLL ON FORCE A/P DEODORANT	0118	\$2.95	1				
POWERUP DRIVE DEODORANT (GREEN CAP)	0107	\$2.19			PLAYING CARDS	1300	\$2.33 TOTAL
PW UP XTREME DEODORANT (BLUE CAP)	0102	\$2.59			PINOCHLE CARDS	1305	\$2.33 2
DIAL ANTIBACTERIAL SOAP	0398	\$1.10	TOTAL		SANDALWOOD	1630	\$4.62 TOTAL
NEXT1 MOISTURIZING BAR	0424	\$0.98	4		FRANKINCENSE	5565	\$4.62 1
NEXT1 SPORT BAR	0426	\$0.95			MYRRH	5558	\$4.62
NEXT1 COCOA BUTTER BAR	0397	\$1.08			CK	0941	\$3.79
DOVE SOAP	0440	\$1.42			POLO	0960	\$3.79
NEUTROGENA SOAP	0444	\$3.72	1		ETERNITY	0965	\$3.79
NOXZEMA	0241	\$2.39	1				
					AAA BATTERIES 4PK	1200	\$3.02 2
TOOTHBRUSH HOLDER	0580	\$0.44	1		AA BATTERIES 4PK	1210	\$3.02 2
SOAP DISH	0490	\$0.51	1		ENERGIZER WATCH BATTERY CR2025	7157	\$2.66 1
COMB	0800	\$0.30	1		ENERGIZER WATCH BATTERY CR2016	1222	\$2.51 1
HAIRBRUSH	0815	\$1.30	1		*ANY SPECIAL WATCH BATTERY PLEASE SEND REQUEST FORM*		
ANTISHANK TOOTHBRUSH	0554	\$0.45	1				
BENDABLE TOOTHBRUSH	0206	\$1.56	1		PICTURE TICKETS	9800	\$2.00 5